

*Files Afford*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Pool, et al.	Atty Docket:	0090-001 (2547/101)
Serial No.:	08/999,297	Art Unit:	2164
Date Filed:	12/29/97	Examiner:	Akers
Invention:	Universal Shopping Center for International Operation	Date:	April 18, 2001

Commissioner for Patents  
Washington, DC 20231

Technology Center 2100

APR 18 2001

Received

**DECLARATION IN SUPPORT OF APPLICANTS' RESPONSE**  
**[37 C.F.R. § 1.132]**

Dear Sir:

In support of the accompanying response to the Office Action mailed January 19, 2001, in the above-reference matter, I hereby declare as follows:

1. My name is David S. Files. I received a Bachelor of Science Degree in Chemistry from the University of Maine, Orono, Maine in June 1970. From 1988 to 1997, I was Eastman Kodak Company's representative to the ANSI and UNITED NATIONS standards bodies on Electronic Data Interchange (EDI). Within Kodak I participated in several business analysis projects for the development of computer applications to support business practices. I was one of the two leaders in the movement to make structured business analysis methods such as activity, data and process modeling an integral part of standards development, maintenance and operation of the standards processes.

2. I am or have been the Chair or Co-Chair of the following groups:

- ANSI ASC X12 X12X/1 Steering Committee Standing Task Group for Business and Information Modelling responsible for implementation of business and information modelling in ASC X12. This task group worked with and participated in the meetings of subcommittees on Purchasing, Transportation, Government, Finance, Product Data, Insurance, Health, etc.
- X12E/2 Product Data Subcommittee, Task Group Two for Data Modeling and Architecture. This task group is responsible for the activity and data models needed to create EDI standards for product data and quality (test results, specifications, non-conformance, MSDS, warranty, etc.)
- ANSI ASC X12 TQM Task Group responsible for application of quality principles to X12 processes.
- PAEB (Pan American EDIFACT Board - Regional body for UN/EDIFACT) BIM Task Group on Business and Information Modeling. This group was responsible for modeling at the regional UN/EDIFACT level.
- UN/EDIFACT (United Nations EDI to Facilitate Trade) JRT T5 Joint Rapporteurs Team, Task Group 5 on Business and Information Modeling. This group is responsible for the implementation of data modeling within UN/EDIFACT. The team worked with all the message development groups including Customers, Transportation, Statistics, Purchasing, etc.

3. I was also a member of the PAEB Procedures Task Group, which is responsible for development and maintenance of PAEB procedures. This task group provided quality management and modeling support.

4. In addition, I am a Senior Member of the American Society for Quality (ASQ) and Co-Deputy Chair of North American Trade Procedures Organization (NATPRO) "Trade Model Working Group."

5. I am also a trained and experienced auditor of business practices having performed hundreds of audits for process control, ISO 9000 compliance, FDA (Food and Drug Administration) GMP (Good Manufacturing Practices), and other Kodak programs. The functions audited included everything from taking of an order from a customer to shipment (domestic and international) of the product to that customer and after market activities such as complaints and returns.

6. I have authored and presented papers on EDI, including the following:

- "Business Analysis for EDI", White paper (with a green cover, often referred to as Dave's Green Book) on the business reasons and principle to be followed in applying structured analysis methods to the development of Electronic Data Interchange standards, May 1992.
- "EDI, The Impact on Quality Management," 45<sup>th</sup> RASQC Conference, 1989. "The Quality Function and EDI," EDI Conference and Exhibit, 1989.
- "EDI and Quality," AutoTech 1989.
- "Business Analysis for EDI," at EDI Conference and Exhibit, UN/EDIFACT and X12 meetings in 1992 and 1993.
- "Business and Information Modelling for EDI," as a regular presenter at ASC X12, and UN/EDIFACT JRT meetings. I have also presented on this topic at EIDX (Electronic Industry Data Exchange Committee), Piedmont EDI Business Forum, and Rochester EDI Users Group.

7. I am familiar with the subject matter of the present application and have reviewed the rejection of the pending claims 1-17 in the present application by the Examiner in the Office Action mailed January 19, 2001, along with the reference art cited by the Examiner.

8. In particular, I have considered the statements of the Examiner regarding Schell's allusion to a strong EDI function. Schell's allusion does not imply a relationship to UN/EDIFACT, the putative standard developed for electronic messaging in an international trade transaction. Moreover, the fact that a software product may support an EDI does not mean that the product has any utility in processing international trade transactions. A review of Schell shows that Schell provides no disclosure for the real-time processing of international trade transactions.

9. In regard to Cahn, I have considered the statements of the Examiner regarding Cahn's use of EDI to generate electronic "invoices." While an EDI message standard provides a format by which information in an electronic invoice may be transferred from one computer system to another computer system, both an EDI application and message standard are unconcerned with the compilation of information into a business document. Thus, Cahn's use of the phrase "using EDI to generate electronic invoices" is an inaccurate reference to EDI. An EDI application is software for sending and receiving data in standard format and translating that data from and to business applications that generate and use it for business processes, not generating the data contained in business documents.

10. I hereby declare that all statements made herein are of my own knowledge and that all statements made on information and belief are true; and further that these